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3 PHILLIP N. SMITH, JR.  
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Lloyd D. George United States Courthouse  
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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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10 UNITED STATES OF AMERICA, ) **2:15-cr-133-LRH-PAL**  
11 )  
12 Plaintiff, )  
13 )  
14 v. )  
15 )  
16 JOSHUA STEPHEN DOTY, )  
17 )  
18 Defendant. )  
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16 **STIPULATION FOR EXTENSION OF TIME**

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18 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,  
19 United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for  
20 the United States of America, and Rachel M. Korenblat, Assistant Federal Public Defender,  
21 counsel for Defendant JOSHUA STEPHEN DOTY, that the date for the Government to file a  
22 response to the Defendant's Motion to Dismiss the Indictment and to Dismiss Count Two of the  
23 Indictment as Multiplicitous (Docket #18) be extended for fourteen (14) days.

24 This stipulation is entered for the following reasons:

25 1. The Defendant's Motion was filed and served on September 16, 2015. PACER  
26 set the Government's response deadline for on or before October 3, 2015. As October 3, 2015  
27 was a Saturday, the Government's response deadline is the next court day, which is October 5,  
28 2015.

2. Undersigned counsel for the Government respectfully requests more time to research the issues raised in the Defendant's Motion.

3. The Defendant is not incarcerated, and he does not object to the continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow the Government to have adequate time to prepare an appropriate response to the Defendant's Motion.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the first stipulation filed herein to continue the Government's response deadline.

DATED: October 5, 2015.

/s/  
PHILLIP N. SMITH, JR.  
Assistant United States Attorney  
Counsel for the United States

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/s/  
RACHEL M. KORENBLAT  
Assistant Federal Public Defender  
Counsel for Defendant JOSHUA STEPHEN DOTY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, ) 2:15-cr-133-LRH-PAL  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 JOSHUA STEPHEN DOTY, )  
 )  
 Defendant. )  
 )

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Defendant's Motion was filed and served on September 16, 2015. PACER set the Government's response deadline for on or before October 3, 2015. As October 3, 2015 was a Saturday, the Government's response deadline is the next court day, which is October 5, 2015.

2. Undersigned counsel for the Government respectfully requests more time to research the issues raised in the Defendant's Motion.

3. The Defendant is not incarcerated, and he does not object to the continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow the Government to have adequate time to prepare an appropriate response to the Defendant's Motion.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the first stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

## **CONCLUSIONS OF LAW**

The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time to allow the Government adequate time to prepare a response to the Defendant's Motion to Dismiss, taking into account due diligence. The failure to grant said continuance would likely result in a miscarriage of justice.

## ORDER

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Dismiss (Docket #18) is extended until October 19, 2015.

October 19, 2015.

Terry A. Tees  
UNITED STATES MAGISTRATE JUDGE